

REMARKS

This Response is submitted in reply to the Final Official Action mailed August 12, 2008. Applicant submits that the Response is fully responsive to the Final Official Action for at least the reasons set forth below.

In the Final Official Action, claims 33-40 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Takahashi, JP 2000-197252 (hereinafter the “‘252 reference” or “Takahashi”) or in the alternative under 35 U.S.C § 103(a) as being obvious over the same.

Applicant respectfully disagrees with the rejection and traverses with at least the following analysis.

Specifically, Applicant submits that the ‘252 reference fails to teach or suggest making permission/non-permission determination regarding whether or not the first medical device is to be synchronized with the second medical device in response to the **identification information outputted** from the first medical device control portion.

Takahashi provides a centralized control by the first medical device. In contrast, the claimed invention provides a decentralized control by having the control in all of the medical devices, e.g., the first and second medical devices.

Specifically, in the claimed invention treatment instrument identification information is sent from the first medical device to the second medical device, which allows the second medical device to determine whether or not to perform synchronized operation based on a determination **by its own control**.

Takahashi describes, in Figs 1 and 7, that the type of hand pieces connected to the device are identified. Based upon the identification, the device determined whether to synchronize control between the device and another device and then sends a signal to another device.

For example, Takahashi describes the identification of the type of hand piece connected to an ultrasonic output device, and based upon the identification of the type, determining whether to synchronize control between the ultrasonic output device and a water-supply/suction device is necessary. The ultrasonic output device sends a signal related to the necessity/non-necessity of the synchronize control to the water-supply/suction device. Furthermore, in another embodiment, Takahashi describes a synchronized control between either an electrocautery device or an ultrasonic output device and a water-supply/suction device and insufflator. The electrocautery device or an ultrasonic output device communicates with each other via a communication cable. In this embodiment, the electrocautery device is connected with a hand piece and the ultrasonic output device is not connected with the same.

In Takahashi, when the electrocautery device or an ultrasonic output device is the first device or main device, and the water-supply/suction device and insufflator is the supporting device (for supporting the main device), the main device identifies the hand piece and creates control information as to which supporting device is to be synchronized with it, and then based on the control information performs synchronized control of the supporting device or forbids synchronized operation.

In contrast, the claimed invention decentralizes the control. Notably, in an embodiment of the invention, the instant specification describes that the electrocautery device, ultrasonic output device, water-supply/suction device and insufflator are all connected to a communication cable and communicate with each other. The specification further describes that in an embodiment, both the electrocautery device and an ultrasonic output device are connected with at least two types of treatment instruments. *See e.g.*, Fig. 1, elements 9-11. One of the two is driven based upon the treatment equipment attached. Additionally, the water-supply/suction

device and/or insufflator are caused to be synchronized or non-synchronized with the driven device.

For example, if only the ultrasonic output device is driven according to the treatment instrument used, the control unit of the electrocautery device receives driving information including the identification of the treatment instrument and thereby stops driving the electrocautery device. The other devices, e.g., water-supply/suction device or insufflator, act according to the identification information, i.e., forbid for the water-supply/suction and allow for the insufflator. Alternatively, if only the electrocautery device is driven, the control unit of the ultrasonic output device receives the driving information including the identification of the connected treatment instrument and stops driving the ultrasonic output device.

In other words, if a plurality of main devices and a plurality of supporting devices are connected on one communication cable and one of the treatment instruments is used, the driving information from one of the main device is used by the other main devices and supporting device to self-determine synchronization and non-synchronization.

Rather than the claimed self-determination, Takahashi teaches a central determination. Takahashi generates control information to synchronize/forbid operation of another device based on treatment equipment connected to a first device, *in the first device*. The control signal is sent from the first device to the second device (not just identification information). The second device is simply a slave to the first device.

The claimed invention has an advantage over the cited references. The claimed invention permits ease of system expansion. Notably, in Takahashi if the ultrasonic output device (or electrocautery device) is the first device or the main device, and the insufflator, etc., is the supporting device, to allow a new supporting device and its corresponding new treatment

instrument to be used, it is required that the main device or first device is updated or upgraded because the main device or **first device is performing centralized control**.

Once again, in contrast, the claimed invention uses a decentralized control and only needs to incorporate new control information into the new or added device, which eliminates the need of updating or upgrading the main or first device. In other words, the claimed invention provided a system with greater expandability and which is readily expandable.

Applicant further submits that the claimed invention is not just merely an implementation of a predictable variation of the prior art, i.e., not a predictable use of prior art elements according to their established functions.

Therefore, claims 33-40 are patentable over the cited reference; the reference fails to teach, suggest or render obvious, each and every limitation of the claims.

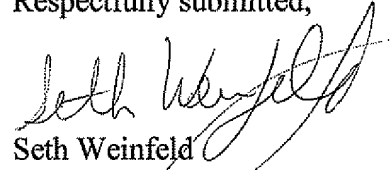
Furthermore, Applicant submits that claims 36 and 37 are patentable over the cited reference based at least upon the following additional analysis. Notably, while the '252 reference teaches periodic transmission of the identification information, the '252 reference does not teach using a failure to receive the identification information as a reason to stop the second device, as recited in claims 36 and 37. The Examiner has not established that these limitations are obvious.

Based upon the foregoing, Applicant respectfully requests that the Examiner withdrawn the rejections of claims 33-40 pursuant to 35 U.S.C. § 102(b)/103(a).

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's

attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



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